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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/064,500	07/22/2002	Martin B. Barmatz	06618/891001 / CIT 2969 C	4858
20985	7590	01/23/2004		
FISH & RICHARDSON, PC 12390 EL CAMINO REAL SAN DIEGO, CA 92130-2081			EXAMINER VAN, QUANG T	
			ART UNIT	PAPER NUMBER

3742

DATE MAILED: 01/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/064,500

Applicant(s)

BARMATZ ET AL.

Examiner

Quang T Van

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 21 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 11-20 is/are allowed.
- 6) ☒ Claim(s) 1,8,21 and 25 is/are rejected.
- 7) ☒ Claim(s) 2-7,9,10 and 22-24, 26-35 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 July 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### ***Claim Objections***

1. Claims 28-34 are objected to because of the following informalities: "a first metal film into contact **with to** a second semiconductor substrate" recited in claim 28, lines 2-3 has a typo error and should be changed to "a first metal film into contact **with** a second semiconductor substrate". The term "the first and second parts" recited in claim 1, line 8 and "said first and second parts" recited in claims 4, lines 1-2 should be changed to "said first surface and second surface parts" for consistency through out the claims. The term "said electrical components" recited in claim 33, line 2 should be changed to "said electronic components" for consistency through out the claims. Correction is required.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 8, 21, and 25 are rejected under 35 U.S.C. 102(e) as being anticipated by Alper et al (US 6,024,822). Alper discloses a method of making disposable nonwoven articles with microwave activatable hot melt adhesive comprising the step placing a first substrate (col. 15, lines 34-36) with a first surface part (col. 15, lines 37-

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39) that has better microwave absorption than said first substrate, against a second substrate (col. 15, lines 34-36) with a second surface part (col. 15, lines 37-39) that has better microwave absorption than said second substrate; figure 1 show the step of aligning said first surface part with said second surface part; and applying microwave energy to the first and second parts to bond the first substrate to the second substrate (col.15, lines 49-51).

4. Claims 2-7, 9-10, 22-24, and 26-27 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

5. Claims 11-20 are allowed. Claims 28-35 will be allowed after overcome the above objection.

6. The following is a statement of reasons for the indication of allowable subject matter: the prior art of record does not show or suggest the step of placing a first substrate of a first material, having a first area defined within a perimeter of a second material, against a second substrate, of the third material, said second substrate also having a second area defined within a perimeter of a fourth material, and wherein said first and third materials are poorer absorbers of microwaves than said second and fourth materials and the step of applying microwaves to an area of said first substrate and said second substrate to bond said second material to said fourth material as recited in claim 11; and the step of bringing a first semiconductor substrate with a first metal film into contact with a second semiconductor substrate with a second metal film,

where both of said first and second metal films are less than an order of magnitude thicker than the skin depth of the metal as recited in claim 28.

***Response to Amendment***

7. Applicant's arguments with respect to claims 1-35 have been considered but are moot in view of the new ground(s) of rejection.

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Wang et al (US 6,558,494) discloses a vacuum insulating glass unit and method for manufacture the same. De Los Santos et al (US 6,548,375) discloses a method of preparing silicon-on-insulator substrates particularly suited for microwave applications.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quang T Van whose telephone number is 703-306-9162. The examiner can normally be reached on 8:00Am 7:00Pm M-Th.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ehud Gartenberg can be reached on 703-308-2634. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0861.



QV  
January 21, 2004



Quang T Van  
Primary Examiner  
Art Unit 3742